

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

SHAUNTEZ HAIRSTON,)	
)	
Plaintiff,)	
)	
vs.)	CIVIL NO. 07-687-MJR
)	
KENNETH McCain, et al.,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

REAGAN, District Judge:

The Court previously granted Plaintiff's motion to proceed *in forma pauperis* (see Docs. 3, 4). However, the Court mistakenly identified Plaintiff's location as the Federal Medical Center in Rochester, Minnesota, rather than St. Clair County Jail. Accordingly, Plaintiff's motion to amend (Doc. 5) is **GRANTED**. The Court's prior order (Doc. 4) is **VACATED**.

The Court finds that Plaintiff is indigent and unable to pay the full filing fee in advance; therefore, leave to proceed *in forma pauperis* is **GRANTED**. Pursuant to 28 U.S.C. § 1915(b), **IT IS HEREBY ORDERED** that Plaintiff shall pay the **\$350.00 filing fee** applicable to this civil action as follows:

1. Plaintiff has been without funds for six months and is currently without funds, and he appears to have no means currently with which to pay an initial partial filing fee. Accordingly, the Court will not assess an initial partial filing fee. See 28 U.S.C. §1915(b)(4).
2. Plaintiff shall make monthly payments of 20% of the preceding month's income credited to Plaintiff's prison trust fund account until the filing fee is paid in full.
3. The agency having custody of Plaintiff shall forward payments from Plaintiff's account to the Clerk of this Court each time the amount in the account exceeds \$10

until the filing fee is paid. Payments shall be mailed to: Clerk of the Court, United States District Court for the Southern District of Illinois, P.O. Box 249, East St. Louis, Illinois 62202.

IT IS FURTHER ORDERED that if judgment is rendered against Plaintiff, and the judgment includes the payment of costs under Section 1915, Plaintiff will be required to pay the full amount of the costs, notwithstanding that his application to proceed *in forma pauperis* has been granted.

Plaintiff is **ADVISED** of his continuing obligation to keep the Clerk informed of any change in his whereabouts during the pendency of this action. This notification shall be done in writing and not later than seven (7) days after a transfer or other change in address occurs.

The Clerk of Court is **DIRECTED** to mail a copy of this Memorandum and Order to Plaintiff and to the Warden at St. Clair County Jail.

IT IS SO ORDERED.

DATED this 4th day of December, 2007.

s/ Michael J. Reagan
MICHAEL J. REAGAN
United States District Judge